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15 ATTORNEYS FOR DEFENDANT
16 CITY OF BERKELEY

17
18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20

21 TIMOTHY GARDNER,

22 Plaintiff,

23 vs.

24 CITY OF BERKELEY,

25 Defendant.
26
27
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No. C10-03410 EMC

**STIPULATION AND [PROPOSED]
ORDER TO DISMISS COMPLAINT
WITH PREJUDICE**

STIPULATION

Plaintiff Timothy Gardner, Kacey Gardner, his attorney herein, and Defendant City of Berkeley, through its attorney herein, Mark J. Zembsch, hereby stipulate that plaintiff's entire Complaint is hereby dismissed with prejudice. Each party is to bear their own costs and attorney's fees.

Dated: March 19, 2012.

Respectfully submitted:

ZACH COWN, City Attorney
SARAH REYNOSO, Assistant City Attorney
MARK J. ZEMBSCH, Deputy City Attorney

By: /s/
MARK J. ZEMBSCH
Attorneys for Defendant City of Berkeley

Dated: March 19, 2012

LAW OFFICES OF KACEY GARDNER

By: /s/
KACEY GARDNER
Attorney for Plaintiff Timothy Gardner

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: March 20, 2012

EDWARD M. CHEN
United States

